

-12-

REMARKS

In response to the Office Action mailed on June 19, 2007, Applicants respectfully request reconsideration. To further the prosecution of this application, Applicants submit the following amendments and remarks discussing patentability of rejected and newly added claims. Applicants respectfully request that the application be passed to issue.

Claims 1-27 were previously pending in the subject Application. Claims 28-33 are being added by way of this amendment. Thus, after entry of this Amendment, claims 1-33 will be pending. No new matter was added to the application when amending or adding these claims.

To expedite prosecution of the subject application to allowance, Applicants encourage the Examiner to call the undersigned Attorney below.

Summary of an Embodiment of the Invention

Prior to discussion of the pending claims, Applicant would like to briefly discuss an illustrative embodiment of the present invention. One embodiment of the present invention, in contrast to conventional approaches, is directed to a novel configuration technique. For example, a data communication device automatically configures its own communication ports (e.g., local communication ports) based on attributes of a remote device with which it communicates. The process of configuring the communication ports includes monitoring a communications protocol associated with a remote device on a given communication port of the data communication device without participating in the communications protocol. The data communication device detects an attribute such as a network address associated with the remote device based on the monitored communications. In response to detecting the attribute of the remote device, the data communication device selects one of multiple configuration

profiles depending on the detected attribute of the remote device to configure the given communication port.

Objections to the Claims

In accordance with the Examiner's suggestions, Applicants have amended the pending claims.

Rejection of Claims

The Examiner has rejected claim 1 under 35 U.S.C. § 102(e) as being unpatentable over Elo (U.S. Patent 7,174,371). Applicants are appreciative of the Examiner's review of pending claim 1 and respectfully request further consideration.

The claimed invention recites:

1. (Currently Amended) In a data communication device including multiple communication ports, a method of configuring at least one of the communication ports, the method comprising:
 - monitoring a communications protocol associated with a remote device on a given communication port of the data communication device without participating in the communications protocol;
 - based on the monitored communications, detecting an attribute of the remote device;
 - in response to detecting the attribute of the remote device, retrieving one of multiple configuration profiles corresponding to the attribute of the remote device; and
 - configuring the given communication port of the data communication device with the retrieved one of multiple configuration profiles profile to support future communications with the remote device.

The Examiner likens the claimed invention to the teachings of Elo. For example, the Examiner likens the data communication device in the claimed invention to the ASR 20 in Elo. To reject the claimed invention, the office action asserts that retrieving of configuration information that the ASR 20 in Elo retrieves configuration information from database 26 and configures ports 21 of the ASR 20 based on the configuration information.

Applicants respectfully disagree with this assertion.

More specifically, Elo discloses configuring ports of end user equipment 12, 14, 16 based on the configuration information retrieved from database 26. There is no indication whatsoever that the ASR 20 configures ports 21 of the ASR based on the retrieved configuration information. Further, there is no indication whatsoever that the ASR configures one or more of (its local) ports 21 based on attributes of a remote device coupled to the ports.

Instead, Elo only discloses sending configuration information over network 100 configuring ports at a remote location (i.e., the PC 12) via communications from the ASR 20 based on a network address associated with the remote device. This is evidenced by teachings of Elo starting at column 8, line 54 which reads as follows:

When the ASR 20 intercepts the DHCP offer to the client, it contacts the central database 26 through a suitable protocol such as COPS (Common Open Policy Server) and/or FTP (File Transfer Protocol) to request configuration for the end-user port. The database sends a dynamic configuration to the ASR 20 and its filter, whereby the port settings for the end-user equipment 12 is set in accordance with the dynamic configuration of the present invention. The PC 12 now having an IP address and parameter settings as once requested through the template in the

database 26 and establishes communication, for example with the Internet 22.

(emphasis added)

There is only one occurrence in Elo discussing ports 21 of the ASR. For example, Elo mentions in passing at column 9 lines 5-11 that ports 21 of the ASR 20 are used to support connections with the end user equipment 12, 14, and 16. Again, there is no mention these ports are configured in accordance with attributes of a remote as in the claimed invention.

Accordingly, Elo does not anticipate every limitation in claim 1.

Configuring each of multiple communication ports associated with a data communication device (e.g., a network switch) in this way reduces the manual task of reprogramming ports of the switch to support further communications with corresponding remote devices.

For the above reasons, Applicant respectfully requests allowance of claim 1. By virtue of dependency, Applicant respectfully submits that claims 2-13.

Claim 14 includes similar limitations as claim 1 and should be allowable for similar reasons. By virtue of dependency, corresponding dependent claims 18-25 should be in condition for allowance as well.

Claims 26 and 27 each should be allowable for similar reasons as discussed above.

Note that each of the dependent claims includes further distinguishing features over the cited prior art. Some of the distinguishing features are discussed below.

Claim 4

Applicants would like to further point out that claim 4 includes further distinguishing language over the cited prior art. For example, contrary to the assertion set forth in the pending office action, claim 4 recites using a default configuration profile if there is no match. The office action asserts that a "predefined configuration is used that matches the communication format" in Motoyama (column 9, lines 49-62). This is equivalent to determining a match. Therefore, Motoyama does not teach or suggest the claimed invention.

Also, and perhaps more importantly, neither of the cited references discloses configuring local ports of a data communication device as in the claimed invention. Accordingly, Applicants respectfully request allowance of claim 4.

Claim 9

Applicants respectfully submit that detecting assignment of a network address as in Elo is not equivalent to detecting a change in a network address associated with a remote device. For example, detecting a change in a network address requires knowledge of a previous network address assigned to a device and that the address has been changed. In Elo, it is not known whether the new address is being assigned in addition to an old address or no address in which case allocation of the address is not technology a change. There is no indication whatsoever in Elo indicating knowledge by the ASR of a previous network address. Therefore, Elo does not teach or suggest the claimed invention.

New Claims 28-33

Applicant has added claims 28-32 to expedite prosecution of the present application to allowance. Support for these claims can be found various places in Fig 1-7 and corresponding text of the application. For example, support for claim 28 can be found starting at page 8, line 5, in corresponding figures as well

-17-

as elsewhere throughout the specification. Support for claim 29 can be found starting at page 12, line 23, in corresponding figures as well as elsewhere throughout the specification. Support for claim 30 can be found starting at page 12, line 23, in corresponding figures as well as elsewhere throughout the specification. Support for claim 32 can be found starting at page 15, line 8, in corresponding figures as well as elsewhere throughout the specification.

Each of these new claims includes further patentable distinctions over the cited prior art. By virtue of dependency, these claims should be in condition for allowance as well. Thus, Applicants respectfully requests allowance of these new claims.

CONCLUSION

In view of the foregoing remarks, Applicants submit that the pending claims as well as newly added claims are in condition for allowance. A Notice to this affect is respectfully requested. If the Examiner believes, after reviewing this Response, that the pending claims are not in condition for allowance, the Examiner is respectfully requested to call the Applicant(s) Representative at the number below.

-18-

If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3735.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned Attorney at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,

/PPK/

Paul P. Kriz, Esq.
Attorney for Applicant(s)
Registration No.: 45,752
Chapin Intellectual Property Law, LLC
Westborough Office Park
1700 West Park Drive
Westborough, Massachusetts 01581
Telephone: (508) 616-9660
Facsimile: (508) 616-9661
Customer No.: 58408

Attorney Docket No.: CIS03-32(7462)

Dated: October 18, 2007